

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	06-00384-01-CR-W-ODS
GLEN SHEPARD,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on October 10, 2007. Defendant Glen Shepard appeared in person and with Lisa Nouri. The United States of America appeared by Assistant United States Attorney Stefan Hughes.

I. BACKGROUND

On November 1, 2006, an indictment was returned charging defendant with possessing a firearm after having been convicted of a felony, in violation of 18 U.S.C. §§ 922(g)(1) and 924(e)(1). A superseding indictment was returned on April 4, 2007, which included the original firearm count and added one count of possessing a firearm while an unlawful user of to methamphetamine, in violation of 18 U.S.C. §§ 922(g)(3) and 924(e)(1).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Hughes announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is ATF Special Agent Jim Green.

Ms. Nouri announced that she will be the trial counsel for defendant Glen Shepard.

III. OUTSTANDING MOTIONS

There are currently no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Hughes announced that the government intends to call 11 witnesses without stipulations or 9 witnesses with stipulations during the trial.

Ms. Nouri announced that defendant Glen Shepard intends to call 3 witnesses during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Mr. Hughes announced that the government will offer approximately 14 exhibits in evidence during the trial.

Ms. Nouri announced that defendant Glen Shepard will offer no exhibits in evidence during the trial.

VI. DEFENSES

Ms. Nouri announced that defendant Glen Shepard will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Ms. Nouri stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to prior felony convictions, interstate nexus, and administrative reports.

IX. TRIAL TIME

Counsel were in agreement that this case will take 2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed December 14, 2006, counsel for each party file and serve a list of exhibits he or she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by October 10, 2007;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, October 17, 2007;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, October 17, 2007. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

A prior motion in limine, ruled by the court, is now moot due to the superseding indictment. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket commencing October 22, 2007. The parties ask

for the first week of the trial docket because a government witness will not be available during the second week.

/s/ Robert E. Larsen
ROBERT E. LARSEN
U. S. Magistrate Judge

Kansas City, Missouri
October 10, 2007

cc: The Honorable Ortrie Smith
Mr. Stefan Hughes
Ms. Lisa Nouri
Mr. Jeff Burkholder